

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF NEW YORK

JORGE VALDES,

Plaintiff,

-against-

9:08-CV-0749 (LEK/DHR)

BRIAN FISCHER, Commissioner N.Y.S.
D.O.C.S.; MARY D'SILVA;
C. LINQUIST; WILLIAM D. BROWN;
DR. MAGRAW; MS. PARRINO; and
A. JACOBSON, D.D.S.

U.S. DISTRICT COURT
N.D. OF N.Y.
FILED

JAN 24 2011

Defendants.

LAWRENCE K. BAERMAN, CLERK
ALBANY

ORDER

This matter comes before the Court following a Report-Recommendation filed on December 7, 2010, by the Honorable David R. Homer, United States Magistrate Judge, pursuant to 28 U.S.C. § 636(b) and L.R. 72.3(c) of the Northern District of New York. Report-Rec. (Dkt. No. 63). On December 27, 2010, Plaintiff Jorge Valdes ("Plaintiff") requested, and was granted, an extension of time to file objections to the Report-Recommendation. Dkt. No. 64. Plaintiff filed his objections ("Objections") on January 20, 2011. Dkt. No. 65.

This Court is to "make a de novo determination of those portions of the report or specified proposed findings or recommendations to which objection is made." 28 U.S.C. § 636(b). "A [district] judge . . . may accept, reject, or modify, in whole or in part, the findings or recommendations made by the magistrate judge." Id. Where, however, an objecting "party makes only conclusory or general objections, or simply reiterates his original arguments, the Court reviews the Report and Recommendation only for clear error.'" Farid v. Bouey, 554 F. Supp. 2d 301, 307 (N.D.N.Y. 2008) (quoting McAllan v. Von Essen, 517 F. Supp. 2d 672, 679 (S.D.N.Y. 2007)

(citations and quotations omitted)).

The Court has considered Plaintiff's Objections, undertaken a de novo review of those portions of the record to which they relate, and has determined that the Magistrate Judge's Report-Recommendation should be approved for the reasons stated therein.

For the above reasons, it is hereby

ORDERED, that the Report-Recommendation (Dkt. No. 63) is **APPROVED** and
ADOPTED in its **ENTIRETY**; and it is further

ORDERED, that Defendants' Motion for summary judgment (Dkt. No. 59) is **GRANTED** as to all claims and all Defendants; and it is further

ORDERED, that Plaintiff's Amended Complaint (Dkt. No. 47) is **DISMISSED**; and it is further

ORDERED, that the Clerk serve a copy of this Order on all parties.

IT IS SO ORDERED.

DATED: January 24, 2011
Albany, New York

HONORABLE LAWRENCE E. KAHN
United States District Judge